

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

Frederick Smith, #158371,

Plaintiff,

v.

Daniel Heyns, et al.,

Defendants.

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Case No. 12-11373

Honorable Nancy G. Edmunds

**ORDER OVERRULING PLAINTIFF'S OBJECTIONS AND ACCEPTING AND  
ADOPTING THE MAGISTRATE JUDGE'S JUNE 21, 2013 REPORT AND  
RECOMMENDATION [74]**

This matter is before the Court on the magistrate judge's June 21, 2013 report and recommendation on four motions on Plaintiff Frederick Smith's 42 U.S.C. § 1983 prisoner rights suit regarding his right to parole in state prison and actions that he alleges various prison officials took against him that violated his constitutional rights, the Americans with Disabilities Act, the Rehabilitation Act, and state laws. (Dkt. 74, RR.) The magistrate judge recommended denying Plaintiff's motion to stay the summary judgment motions so that discovery may go forth, denying Plaintiff's second motion for leave to amend, granting Defendants' motions for summary judgment, and declining to exercise supplemental jurisdiction over the remaining state law claims. (RR at 2.)

Plaintiff has objected to the magistrate judge's report and recommendation. (Dkt. 75.)

Being fully advised in the premises, having read the pleadings and the magistrate judge's recommendation, and having conducted a de novo review of Plaintiff's objections,

the Court agrees with the magistrate judge's report and recommendation and accepts and adopts it. (Dkt. 74.) The Court overrules Plaintiff's objections. (Dkt. 75.)

The Court therefore: DENIES Plaintiff's second motion to stay summary judgment (dkt. 70); DENIES Plaintiff's second motion for leave to amend (dkt. 65) and GRANTS Defendants' motions for summary judgment (dkt. 59, 69). The Court also declines to exercise supplemental jurisdiction over any state law claim. No claims are left pending; the Court will issue a judgment in connection with this case.

So ordered.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: July 31, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on July 31, 2013, by electronic and/or ordinary mail.

s/Johnetta M. Curry-Williams  
Case Manager  
Acting in the Absence of Carol A. Hemeyer